

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY R. TURNER,
Plaintiff,

v.

VALLEJO CITY MAYOR, et al.,
Defendants.

No. 2:23-cv-2894-KJM-SCR

FINDINGS AND RECOMMENDATIONS

Plaintiff is a former county inmate representing himself in this civil rights action filed pursuant to 42 U.S.C. § 1983. By order filed August 11, 2025, plaintiff was ordered to update his address by September 8, 2025. ECF No. 55. The thirty day period has now expired, and plaintiff has not shown cause or otherwise responded to the court's order. Although it appears from the file that plaintiff's copy of this order was returned, plaintiff was properly served. It is the plaintiff's responsibility to keep the court apprised of his current address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.

In light of plaintiff's failure to update his address, this court recommends that this action be dismissed without prejudice for failure to prosecute and for failure to comply with a court order. In recommending this action be dismissed for failure to prosecute, the court has considered "(1) the public's interest in expeditious resolution of litigation; (2) the court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of

1 cases on their merits; and (5) the availability of less drastic alternatives.” Ferdik v. Bonzelet, 963
2 F.2d 1258, 1260-61 (9th Cir. 1992) (citation omitted). Because this case cannot move forward
3 without plaintiff’s participation, the court finds the Ferdik factors weigh in favor of dismissal.

4 Accordingly, IT IS HEREBY RECOMMENDED that this action be dismissed without
5 prejudice. See Local Rule 110; Fed. R. Civ. P. 41(b).

6 These findings and recommendations are submitted to the United States District Judge
7 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within twenty one days
8 after being served with these findings and recommendations, plaintiff may file written objections
9 with the court. The document should be captioned “Objections to Magistrate Judge’s Findings
10 and Recommendations.” Plaintiff is advised that failure to file objections within the specified
11 time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153
12 (9th Cir. 1991).

13 DATED: September 16, 2025

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16 SEAN C. RIORDAN
17 UNITED STATES MAGISTRATE JUDGE
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